

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEFFREY PRATT,	:	CIVIL ACTION NO. 1:04-CV-1083
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
ROBERT SHANNON, et al.,	:	
	:	
Defendants	:	

JEFFREY PRATT,	:	CIVIL ACTION NO. 1:04-CV-1108
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
SERGEANT CISKI, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 26th day of September, 2005, upon consideration of plaintiff's motions to "consolidate for withdrawal of civil actions,"¹ in which plaintiff, proceeding *pro se* and *in forma pauperis*, requests that the above-captioned cases be consolidated and dismissed,² and of defendants' objection to dismissal of the above-captioned cases without prejudice, and it appearing that, by the order of court dated August 8, 2005, plaintiff was directed to file a response, on

¹ Civil Action No. 1:04-CV-1083 (Doc. 21); Civil Action No. 1:04-CV-1108 (Doc. 33).

² These cases have been consolidated solely for purposes of this decision. See FED. R. CIV. P. 42.

or before September 16, 2005, showing cause why the above-captioned cases should not be dismissed with prejudice,³ see FED. R. CIV. P. 41(a)(2) (“[A]n action shall not be dismissed at the plaintiff’s instance save upon order of the court and upon such terms and conditions as the court deems proper.”), and advised that failure to file a timely response would result in the dismissal of the above-captioned cases with prejudice, and that, as of the date of this order, plaintiff has not filed a response, it is hereby ORDERED that:

1. Plaintiff’s motions to “consolidate for withdrawal” of the above-captioned cases (Docs. 21, 33, respectively), CONSTRUED as motions for voluntary dismissal, are GRANTED as so construed.
2. The above-captioned cases are DISMISSED with prejudice. See FED. R. CIV. P. 41(a)(2).
3. The Clerk of Court is directed to CLOSE the above-captioned cases.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

³ An earlier order, dated July 21, 2005, also directed plaintiff to file a response showing cause why the above-captioned cases should not be dismissed with prejudice.